

1 SEYFARTH SHAW LLP
 2 William J. Dritsas (State Bar No. 097523)
 2 Andrew M. McNaught (State Bar No. 209093)
 3 560 Mission Street, Suite 3100
 3 San Francisco, California 94105
 4 Telephone: (415) 397-2823
 4 Facsimile: (415) 397-8549

5 Attorneys for Defendant
 6 TURNER CONSTRUCTION COMPANY
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 11 MELINDA GALARSA,) USDC Case No. C-07-2354 CRB
 12 Plaintiff,)
 13 vs.) California Superior Court, County of
 14 GALLETTI & SONS, INC., TURNER) Alameda, Case No. RG07316544
 15 CONSTRUCTION COMPANY, DAVID)
 16 SANDOVAL, and DOES 1 through 10,)
 16 Inclusive,)
 17 Defendants.)
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The parties at issue in the above-captioned matter, MELINDA GALARSA, GALLETTI & SONS, INC., and TURNER CONSTRUCTION COMPANY, by and through their attorneys of record, hereby stipulate as follows:

Plaintiff MELINDA GALARSA's claim for Intentional Infliction of Emotional Distress ("IIED") against all Defendants shall be dismissed with prejudice.

Plaintiff's remaining claims are statutory claims based solely on the California Fair Employment & Housing Act ("FEHA"). Without the IIED tort claim, there is no basis for federal jurisdiction based on the L.M.R.A, Section 301 preemption, as set forth in Defendant

1 TURNER CONSTRUCTION'S Notice of Removal, filed on April 30, 2007. Accordingly, the
2 parties stipulate that the case be remanded to state court for adjudication of plaintiff's remaining
3 FEHA claims.

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5 Respectfully Submitted:

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7 DATED: June ___, 2007

SEYFARTH SHAW LLP

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By _____

William J. Dritsas
Andrew M. McNaught

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Attorneys for Defendant
TURNER CONSTRUCTION COMPANY

13

DATED: June ___, 2007

WINER, MCKENNA & DAVIS, LLP

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15

By _____

Emile A. Davis

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Attorneys for Plaintiff
MELINDA GALARSA

DATED: June ___, 2007

GORDON & REES LLP

18

19

By _____
Michael T. Lucey
Paula Kutansky-Brown

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21

Attorneys for Defendant
GALLETTI & SONS, INC.

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7 DATED: June ___, 2007

SEYFARTH SHAW LLP

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13 DATED: June 3, 2007

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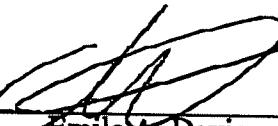
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By _____

William J. Dritsas
Andrew M. McNaught

Attorneys for Defendant
TURNER CONSTRUCTION COMPANY
WINER, MCKENNA & DAVIS, LLP

By _____


Emile A. Davis

Attorneys for Plaintiff
MELINDA GALARSA

GORDON & REES LLP

By _____

Michael T. Lucey
Paula Kutansky-Brown

Attorneys for Defendant
GALLETTI & SONS, INC.

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5 Respectfully Submitted:

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7 DATED: June 12th, 2007

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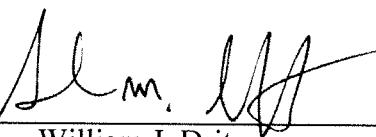
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SEYFARTH SHAW LLP

By 
William J. Dritsas
Andrew M. McNaught

Attorneys for Defendant
TURNER CONSTRUCTION COMPANY

WINER, MCKENNA & DAVIS, LLP

By _____
Emile A. Davis

Attorneys for Plaintiff
MELINDA GALARSA

GORDON & REES LLP

By _____
Michael T. Lucey
Paula Kutansky-Brown

Attorneys for Defendant
GALLETTI & SONS, INC.

PROPOSED ORDER

Based on the Parties' stipulation, and good cause appearing, Plaintiff's claim for Intentional Infliction of Emotional Distress is hereby DISMISSED WITH PREJUDICE. The case is REMANDED to the California Superior Court, County of Alameda, for adjudication of Plaintiff's remaining statutory claims under the California Fair Employment & Housing Act.

IT IS SO ORDERED.

Dated: June 13, 2007

